IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2153 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KRISHNA H PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR RC JANI for Petitioner

MR UI VYAS Addl. Central Govt. Standing Counsel for Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 28/03/2001

ORAL JUDGEMENT

Rule. Mr. U.I. Vyas, Addl. Central Govt. Standing Counsel appears and waives service of rule on behalf of the respondents. This petition has filed for a direction to issue a new passport with correct the date of birth of the petitioner as 15-4-1956 instead of

15-4-1958 as well as the name of the petitioner as Krishnakumar Hargovinddas Patel instead of Krushna Hargovinddas Patel in the passport.

2. It is submitted by the learned counsel for the petitioner that the aforesaid wrong date of birth and name of the petitioner has been wrongly mentioned in the passport. The petitioner has moved the application before the respondent authority for correction of his birth date as 15-4-1956 and correct name as Krishnakuamr Hargovinddas Patel in the passport and to issue a new passport with correct date of birth and name of the petitioner as aforesaid but the respondent authority has refused to entertain the same as it has no power or authority of law to make correction in the birth date and name of the petitioner unless and until some order is passed by the Court of Law.

3. In the facts and circumstances of this case, this application is required to be allowed and the respondent authority concerned is directed to entertain, consider and decide the application filed by the petitioner in accordance with law and make correction with regard to the correct date of birth of the petitioner as 15-4-1956 and name of the petitioner as Krishnakumar Hargovinddas Patel in the passport and issue a new passport containing correct name and birth date of the petitioner as aforesaid, within one month from the date of receipt of writ of this Court or certified copy of this order whichever is earlier. The respondent authority will be at liberty to pass appropriate order with regard to the costs of these proceedings.

4. With the above directions and observations, this petition is disposed of. Rule is made absolute.

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/JVSatwara/